

PLAINTIFF'S
EXHIBIT

12

CITY-COUNTY OF MONTGOMERY
PERSONNEL BOARD HEARING

IN RE APPEAL HEARING FOR:

L. M. HARTWELL,
Employee.

CITY-COUNTY OF MONTGOMERY
PERSONNEL DEPARTMENT
27 Madison Avenue,
Montgomery, Alabama 36101
March 14, 2006
5 p.m.

BEFORE THE PERSONNEL BOARD:

Benita Froemming, Chairman

Charles B. Paterson

Johnny Baker

Taken by: SELAH M. DRYER, CSR

COPY

1 Q. He was not his chief. He
2 stayed on in the morning to handle a
3 problem that he perceived was Hartwell --
4 and Hartwell wasn't even working under him
5 that day -- Hartwell had another district
6 chief. Kelley Gordon was on the shift
7 before.

8 A. Kelley Gordon, the shift that
9 he worked overtime on, was Kelley Gordon's
10 shift. He was not on Kelley Gordon's
11 shift. -- Sergeant Hartwell was not.

12 Q. But isn't it true that Kelley
13 Gordon stayed late after his duty hours
14 and kept Hartwell after the duty hours so
15 he could deal with him on a circumstance
16 when he was not his district chief.

17 A. Well, actually he is the
18 district chief because he was district
19 chief of that district.

20 Q. Well, don't you have one for
21 each shift?

22 A. That's correct.

23 Q. And wouldn't that be the

1 proper chain of command?

2 A. It was a captain working that
3 day, August 4th.

4 Q. Okay. But there was also a
5 different district chief for that day, for
6 that shift other than Kelley Gordon.

7 A. A captain was working that day
8 as district supervisor.

9 Q. Because the district chief
10 that should have been there was off?

11 A. That's correct. Which was
12 Gordon.

13 Q. Kelley Gordon was on the shift
14 before, stayed late to discipline him on
15 this issue concerning the sick leave.

16 A. Yes, sir.

17 Q. Now, as far as the Confederate
18 flag, this is what the insignia looks like
19 that the city has now for the Fire
20 Department, isn't it?

21 A. That's correct.

22 Q. What this is would be a
23 firefighter's because it's silver. What